

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

<b>IN RE: PRE-FILLED PROPANE TANK )</b>	<b>MDL NO. 2086</b>
<b>MARKETING &amp; SALES PRACTICES )</b>	
<b>LITIGATION )</b>	<b>Master Case No. 09-2086-MD-W-GAF</b>
<b>ALL ACTIONS )</b>	
<b>)</b>	

**ORDER**

By Order of November 4, 2009, the Court directed the parties to this multi-district litigation to file submissions notifying the Court of their selections for a counsel structure to act on behalf of the plaintiffs and serve as interim class counsel. Having considered all timely submissions, the Court hereby appoints the following Interim Class Counsel pursuant to Fed. R. Civ. P. 23(g):

1. **Plaintiffs' Liaison Counsel**: To serve as Liaison Counsel, the Court appoints the following counsel:

Norman E. Siegel  
Stueve Siegel Hanson LLP  
460 Nichols Road, Suite 200  
Kansas City, Missouri 64112

2. **Duties of Plaintiffs' Liaison Counsel**: Plaintiffs' Liaison Counsel shall have the following responsibilities:

(A) Communicate with the Court, on behalf of Plaintiffs' Executive Committee, concerning scheduling and other administrative matters;

(B) Maintain an up-to-date, comprehensive Service List and promptly advise the Court and Defendants' counsel of changes to Plaintiffs' Service List;

(C) Receive and distribute to Plaintiffs' counsel, as appropriate, Orders, notices, and correspondence from the Court, to the extent such documents are not electronically filed; and

(D) Receive and distribute to Plaintiffs' counsel, as appropriate, discovery, pleadings, and correspondence and other documents from Defendants' counsel that are not electronically filed.

3. **Plaintiffs' Co-Lead Counsel**: To, together with Plaintiffs' Liaison Counsel, perform the duties delineated below, the Court hereby appoints Plaintiffs' Co-Lead Counsel consisting of the following counsel:

Elizabeth A. Fegan  
Hagens Berman Sobol Shapiro LLP  
820 North Boulevard, Suite B  
Oak Park, IL 60301

Eric H. Gibbs  
Girard Gibbs LLP  
601 California Street, 14<sup>th</sup> Floor  
San Francisco, CA 94108

Laurence D. King  
Kaplan Fox & Kilsheimer LLP  
350 Sansome Street, Suite 400  
San Francisco, CA 94104

4. **Duties of Plaintiffs' Co-Lead Counsel**: Plaintiffs' Co-Lead Counsel shall have the following responsibilities:

(A) Direct and manage pretrial proceedings on behalf of all Plaintiffs, including the briefing and argument of motions and the conduct of all types of discovery proceedings;

(B) Delegate work responsibilities to members of the Executive Committee, among others, and monitor the activities of all Plaintiffs' counsel to assure that Plaintiffs' pretrial preparation is conducted effectively, efficiently, and economically, that schedules are met, and that unnecessary expenditures of time and expense are avoided;

(C) Consult with and employ consultants or experts, as necessary;

(D) Fund the necessary and appropriate costs of discovery and other common benefit efforts;

(E) Coordinate settlement discussions or other dispute resolution efforts on behalf of Plaintiffs, under the Court's supervision, if and as appropriate;

(F) Enter into stipulations with opposing counsel as necessary for the conduct of the litigation;

(G) Prepare and distribute to the parties periodic status reports;

(H) Maintain adequate time and disbursement records covering services as designated counsel; and

(I) Perform such other duties as may be incidental to proper coordination of Plaintiffs' pretrial activities or as authorized by further Order of the Court.

5. **Plaintiffs' Executive Committee**: To assist in carrying out the duties set forth above and otherwise advance the interests of Plaintiffs in an orderly and efficient manner, the Court hereby appoints an Executive Committee consisting of the following counsel:

Norman E. Siegel  
Stueve Siegel Hanson LLP  
460 Nichols Road, Suite 200  
Kansas City, MO 64112

Elizabeth A. Fegan  
Hagens Berman Sobol Shapiro LLP  
820 North Boulevard, Suite B  
Oak Park, IL 60301

Eric H. Gibbs  
Girard Gibbs LLP  
601 California Street, 14<sup>th</sup> Floor  
San Francisco, CA 94108

Laurence D. King  
Kaplan Fox & Kilsheimer LLP  
350 Sansome Street, Suite 400  
San Francisco, CA 94104

Christopher M. Burke  
Scott + Scott LLP  
600 B Street, Suite 1500  
San Diego, CA 92101

Edward M. Gergosian  
Gergosian & Gralewski  
655 West Broadway, Suite 1410  
San Diego, CA 92101

**IT IS SO ORDERED.**

s/ Gary A. Fenner  
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Gary A. Fenner, Judge  
United States District Court

DATED: December 11, 2009